

IN THE CIRCUIT COURT OF WEBSTER COUNTY, MISSISSIPPI

BOBBY JOE TOWNSEND

PLAINTIFF

VS.

CAUSE NO. 2010-81-CVM

STATE OF MISSISSIPPI

DEFENDANT

AGREED JUDGMENT

1. In 2009, the Mississippi Legislature passed and the Governor signed into law an act providing compensation to persons who were wrongfully convicted of, and were imprisoned for, felony crimes. If a claimant meets the requirements set forth by the Legislature in Miss. Code Ann. § 11-44-1 et seq., this Court must award the claimant compensation as provided by law.

2. The parties agree that the Claimant herein, Bobby Joe Townsend, meets the requirements set forth in Miss. Code Ann. § 11-44-1 et seq.

3. Section 11-44-7(2)(a) provides that the court shall award the Claimant Fifty Thousand Dollars (\$50,000) per year for each year of incarceration, excluding preindictment detention, for a total payment not to exceed Five Hundred Thousand Dollars (\$500,000.00). The parties agree that Claimant, by virtue of approximately one year and eight months of wrongful incarceration since his post indictment detention in this case, is entitled to compensation from the State in the amount of Eighty-Three Thousand, Three Hundred Thirty-Three Dollars (\$83,333.00) pursuant to that statute. Section 11-44-7(2)(a) provides that the compensation shall be paid in installments of Fifty Thousand Dollars (\$50,000.00) per year. Therefore, installment payments should be made in the amount of Fifty Thousand Dollars (\$50,000.00) the first year

RECORDEDMB GG PAGE 386-388 Page 1 of 3

WEBSTER COUNTY

DEC 14 2010

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and Thirty-Three Thousand, Three Hundred Thirty-Three Dollars (\$33,333.00) in the second and final year.

Section 11-44-7(2)(b) provides that attorneys fees must be awarded to the Claimant's counsel in the amount of 10% of the total compensation to the Claimant, and the fee award shall not be deducted from the compensation due to the Claimant. Counsel is not entitled to receive any additional compensation from the Claimant or any other source.

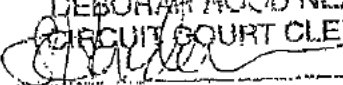
Pursuant to §11-44-15, prior to receipt of these funds, the Claimant must sign a release from all claims against the State regarding the incarceration for which this compensation is awarded.

Accordingly, it is ORDERED, ADJUDGED, and DECREED that the Claimant, Bobby Joe Townsend, is awarded compensation from the State in the amount of Eighty-Three Thousand, Three Hundred Thirty-Three Dollars (\$83,333.00); the State shall pay the award to the Claimant in two annual installments, Fifty Thousand Dollars (\$50,000.000) being paid in the first year and the remaining Thirty-Three Thousand, Three Hundred Thirty-Three Dollars (\$33,333.00) being paid in the second and final year. The Claimant's counsel in this action (Jim Waide) is to recover attorneys' fees from the State in the amount of Eight Thousand, Three Hundred Thirty-Three Dollars (\$8,333.00) which shall not be deducted from the compensation provided to the Claimant; and prior to receipt of the funds, the Claimant must sign a release from all claims against the State regarding the incarceration for which this compensation is awarded.

THIS the 13 day of December 2010.


WESTERN COUNTY
CIRCUIT COURT JUDGE
F L E D
DEC 14 2010

Page 2 of 3

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D.C.

AGREED:



ROGER GOOGE

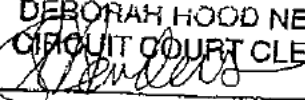
SPECIAL ASSISTANT ATTORNEY GENERAL
Counsel for Defendant State of Mississippi



JIM WAIDE, ESQ.

Counsel for Plaintiff Bobby Joe Townsend

WEBSTER COUNTY
FILED
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CIRCUIT COURT CLERK

D.C.